

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

UNITED STATES,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:18-cv-05774-AT
)	
NANCY ZAK,)	
CLAUD CLARK III,)	
ECOVEST CAPITAL, INC.,)	
ALAN N. SOLON,)	
ROBERT M. MCCULLOUGH,)	
RALPH R. TEAL JR.,)	
)	
Defendants.)	

CLAUD CLARK’S MOTION TO DISMISS

Claud Clark moves to dismiss all but one count of the complaint.

Specifically, he asks the Court to dismiss Counts I, III, IV, and V, insofar as they relate to him, under Rule 12(b)(6) of the Federal Rules of Civil Procedure and other authorities.

Clark also respectfully requests a hearing, primarily to discuss why he is not a tax return preparer within the meaning of 26 U.S.C. § 6694. Sae Jin Yoon¹ of

¹ An application for admission pro hac vice for Ms. Yoon is forthcoming.

Caplin & Drysdale, who has been practicing law for less than five years, will be chiefly responsible for oral argument.

Respectfully submitted this 26th day of March, 2019.

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LR 7.1(D) CERTIFICATE OF FONT COMPLIANCE

I hereby certify that the foregoing *Claud Clark's Motion to Dismiss* has been prepared with one of the font and point selections approved by the Court in Rule 5.1(C) of the Civil Local Rules of Practice for the United States District Court for the Northern District of Georgia, specifically Times New Roman 14 pt. font.

/ s/ Robert C. Khayat, Jr.
Robert C. Khayat, Jr.
Georgia Bar No. 416981

CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of March, 2019 I electronically filed the foregoing **CLAUD CLARK’S MOTION TO DISMISS** with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

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This 26th day of March, 2019.

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